Patent - EVU-02-PUSA

REMARKS

Claim 1-11 were previously pending. In the present amendment, Claims 1-6 have been amended. Claims 7-11 have been cancelled. Claims 12-34 have been added. Therefore, after entry of the present amendment, Claims 1-6 and 12-34 will be pending.

Claims 1-6 rejected under 35 USC 102(e) as being anticipated by Elgamel (5,657,390)

The examiner has rejected Claims 1-6 as being anticipated by Elgamel. Applicant has amended Claims 1-6 all to recite "...commercially-sponsored message to the client program for display...". Support for these amendments may be found in Applicant's original specification at, e.g., pages 8, 9, and 12. Any other amendments to Claims 1-6 were for correcting typographical errors, or for maintaining proper antecedent basis.

Elgamel does not teach or suggest that the provider-selected message is a commercially-sponsored message. Nor does Elgamel teach or suggest that the provider-selected message is for display. The portion of Elgamel cited by the Examiner refers to the provider-selected message being encryption/decryption information (not commercially-sponsored), and it is not for display.

Based on these amendments and arguments, Applicant respectfully requests that the above rejections be withdrawn.

Claims 7-11 rejected under 35 USC 102(e) as being anticipated by Shi (5,875,296)

The examiner has rejected Claims 7-11 as being anticipated by Shi. Applicant has cancelled Claim 7-11, without prejudice to pursue them in this or another application (and to argue that the existing Rule 131 affidavits are sufficient to overcome the rejection, and/or to submit additional Rule 131 affidavits).

Claims 1-11 rejected under 35 USC 102(e) as being anticipated by Levergood (5,708,780)

The examiner has rejected Claims 1-11 as being anticipated by Levergood. Applicant has amended Claims 1-6 all to recite "...commercially-sponsored message to the client program for display...". Support for these amendments may be found in Applicant's original specification at, e.g., pages 8, 9, and 12. Any other amendments to Claims 1-6 were for correcting typographical errors, or for maintaining proper antecedent basis. Applicant has cancelled Claims 7-11 without prejudice.

Levergood does not teach or suggest that the provider-selected message is a commercially-sponsored message. Nor does Levergood teach or suggest that the provider-selected message is for display. The portions of Levergood cited by the Examiner refer to the provider-selected message being security information (not commercially-sponsored), and it is not for display.

Based on these amendments and arguments, Applicant respectfully requests that the above rejections be withdrawn.

New Claims 12-34

Applicant has submitted new Claims 12-34.

Claims 12-15 are dependent from Amended Claim 1, and Applicant therefore submits that these claims are patentable over the cited references for the reasons stated herein regarding

Patent - EVU-02-PUSA

☑ 008/008

Claim 1. Support for new Claims 12-15 may be found in Applicant's original specification at, e.g., pages 14-15 (Claim 12), and page 8 (Claims 13-15).

CS&E

Claims 16-20 are dependent from Amended Claim 2, and Applicant therefore submits that these claims are patentable over the cited references for the reasons stated herein regarding Claim 2. Support for new Claims 16-20 may be found in Applicant's original specification at, e.g., pages 14-15 (Claim 16), page 8 (Claims 17-19), and original Claim 6 (Claim 20).

Claims 21-26 are dependent from Amended Claim 3, and Applicant therefore submits that these claims are patentable over the cited references for the reasons stated herein regarding Claim 3. Support for new Claims 21-26 may be found in Applicant's original specification at, e.g., pages 14-15 (Claim 21), page 8 (Claims 22-24), original Claim 6 (Claim 25), and page 10 (Claim 26).

Claims 27-31 are dependent from Amended Claim 4, and Applicant therefore submits that these claims are patentable over the cited references for the reasons stated herein regarding Claim 4. Support for new Claims 27-31 may be found in Applicant's original specification at, e.g., pages 14-15 (Claim 27), page 8 (Claims 28-30), and original Claim 6 (Claim 31).

Support for new Claims 32-34 may be found in Applicant's original specification at, e.g., the original Claims, and the summary of the invention, as well as throughout the specification.

No new matter has been added by any of the amendments.

Conclusion

Applicant respectfully submits that based on the arguments set forth herein, the above amendments (and new claims) are patentable over the cited references. Applicant therefore requests the examiner issue a notice of allowance. If the examiner has any questions, the examiner is invited to contact Applicant's undersigned representative, who may be reached at the office at 949 724-1849, or by cell phone at 760 803-8271.

Respectfully submitted,

Dated: August 15, 2005

Cohen Sakaguchi & English LLP Neal M. Cohen (Reg. No. 41,683)